

WC 05-202

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

FCC/MELLON

MAY 26 2005
Approved by OMB
3040-0089
Page 1 of 1

(1) LOCK BOX # 358145			
SECTION A - PAYER INFORMATION			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) Rembolt Ludtke & Berger LLP		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$895.00	
(4) STREET ADDRESS LINE NO. 1 1201 Lincoln Mall			
(5) STREET ADDRESS LINE NO. 2 Suite 102			
(6) CITY Lincoln		(7) STATE NE	(8) ZIP CODE 68508
(9) DAYTIME TELEPHONE NUMBER (include area code) 402 475 5100		(10) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(11) PAYER (FRN) 0011380433			
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(13) APPLICANT NAME Marcus D. Young II			
(14) STREET ADDRESS LINE NO. 1 122 E. 7th St.			
(15) STREET ADDRESS LINE NO. 2			
(16) CITY Cozad		(17) STATE NE	(18) ZIP CODE 69130
(19) DAYTIME TELEPHONE NUMBER (include area code) 308 784 4044		(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(21) APPLICANT (FRN) 0013468661			
COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE CUT	(25A) QUANTITY 1	
(26A) FEE DUE FOR (PTC) \$895.00	(27A) TOTAL FEE \$895.00		
(28A) FCC CODE 1		(29A) FCC CODE 2	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE		
(28B) FCC CODE 1		(29B) FCC CODE 2	
SECTION D - CERTIFICATION			
CERTIFICATION STATEMENT <i>David Cossan</i> certifies under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
SIGNATURE <i>David Cossan</i>		DATE 5/26/05	
SECTION E - CREDIT CARD PAYMENT INFORMATION			
MASTERCARD _____ VISA _____ AMEX _____ DISCOVER _____			
ACCOUNT NUMBER _____		EXPIRATION DATE _____	
I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.			
SIGNATURE _____		DATE _____	

James E. Rembolt
/ Slattery
Nefsky
/ Siebert
/ D. Lange
Daniel E. Klenz *
Timothy F. Clare

Timothy L. Moll
Jane F. Langan
Mark A. Fehlezen
Michelle S. Kugler
Bria J. Ehlers
Brian S. Kruse
Troy S. Kirk *
Glen T. Parks

Scott D. Peterson***
F. William Schellpaper III
Kristin S. Simpson**

also admitted in:
* Colorado
** Texas
*** Kansas

Rembolt | Ludtke

Stamp and Return

Rembolt Ludtke LLP
Attorneys at Law

Lincoln - Seaward

May 26, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

MAY 26 2005

Federal Communications Commission
Office of Secretary

Re: **Nebraska Technology and Telecommunications, Inc.**
Domestic Section 214 Application for Transfer of Control

Dear Ms. Dortch:

Enclosed please find an original and four copies of the Application of Nebraska Technology and Telecommunications, Inc. ("NT&T") and Marcus D. Young, II (collectively, the "Applicants") for transfer of control of NT&T to Marcus D. Young, II, pursuant to Section 214 of the Communications Act of 1934.

Also enclosed are copies of the completed FCC Form 159 and a check for \$895.00.

Please acknowledge receipt on the "stamp and return" duplicate document attached for this purpose. All **correspondence** and inquiries concerning this filing should be addressed to the undersigned.

Sincerely,



Timothy F. Clare
telare@remhud.com

TFC/mad@PFDesktop: \\ODMA\WORLD\DOX\G\WDOX\CLIENTS\24962\016\00033261.WPD
ENCLOSURES

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

**In the Matter of Nebraska Technology &)
Telecommunications, Inc. Application for)
Transfer of Control Pursuant to Section)
214 of the Communications Act of 1934)**

File No. _____

DOMESTIC SECTION 214 APPLICATION FOR TRANSFER OF CONTROL

I. INTRODUCTION

Pursuant to section 63.04 of the Commission's Rules, 47 C.F.R. § 63.04, Nebraska Technology and Telecommunications, Inc. ("NT&T") and Marcus D. Young, II (collectively, the "Applicants") hereby request authority to transfer control of NT&T to Marcus D. Young, II, pursuant to Section 214 of the Communications Act of 1934.

II. INFORMATION REQUIRED BY SECTION 63.04

In support of their request for domestic authority, the Applicants submit the following information pursuant to the Commission's Rules, 47 C.F.R. § 63.04:

1. 63.04(a)(1) Applicants' Names, Addresses and Telephone Numbers.

Transferor: Nebraska Technology and Telecommunications, Inc.
806 N. 96th Street, Suite 210
Omaha, NE 68114
(402) 397-7770

Transferee Marcus D. Young, II
122 E. 7th Street
Cozad, NE 69130
(308) 784-4044

63.04(a)(2) Place of Formation.

- a. Nebraska Technology and Telecommunications, Inc. is a Nebraska corporation.
- b. Marcus D. Young, II is an individual residing in the State of Nebraska.

63.04(a)(3) Correspondence concerning this Application should be addressed to the following:

Timothy F. Clare
Rembolt Ludtke LLP
1201 Lincoln Mall, Suite 102
Lincoln, NE 68508
(402) 475-5100

Attorney for the Applicants.

4. 63.04(a)(4) Equity Ownership in Applicants.

The name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten (10) percent of the equity of Applicants is as follows:

Nebraska Technology and Telecommunications, Inc.

The following individuals or entities currently own at least ten (10) percent of the equity of NT&T: (1) Diller Telephone Company, P.O. Box 218, Diller, Nebraska 68342. Diller is a Nebraska corporation whose principal business is telecommunications. Diller owns approximately 29.12% of the equity in NT&T. (2) Marcus D. Young, II, 122 E. 7th Street, Cozad, NE 69130. Mr. Young is a U.S. citizen residing in Nebraska whose principal business is telecommunications. Mr. Young owns approximately 29.04% of the equity in NT&T. (3) Rodney Chrisp, 77585 Iroquois Drive, Indian Wells, California 92210-6125. Mr. Chrisp is a U.S. citizen, retired and residing in California,

whose former principal business was telecommunications. Mr. Chrisp owns approximately 11.98% of the equity in NT&T.

Marcus D. Young, II

Marcus D. Young, II, 122 E. 7th Street, Cozad, NE 69130. Mr. Young is a U.S. citizen residing in Nebraska whose principal business is telecommunications.

5. 63.04(a)(5) Certification pursuant to §§ 1.2001 through 1.2003.

Pursuant to 47 C.F.R. §§ 1.2001 through 1.2003, no party to the Application is subject to a denial of Federal benefits under section 5301 of the Anti-Drug Abuse Act of 1988. 21 U.S.C. 853. Declarations certifying as such are attached to this Application.

6. 63.04(a)(6) Description of the Transaction.

Pursuant to a Stock Purchase Agreement by and between Diller Telephone Company ("Diller") and Marcus D. Young, II (the "Agreement"), Marcus D. Young, II will purchase the majority of Diller's shares of outstanding stock in NT&T. The transaction will result in Marcus D. Young, II's ownership and control of approximately 57% of NT&T.

NT&T currently has 10 shareholders, none of which have a controlling interest. Upon purchasing the majority of Diller's shares of stock in NT&T, Marcus D. Young, II will own an amount of shares of outstanding capital stock in NT&T which will equal approximately 57% of all outstanding capital stock in NT&T. Therefore, upon closing of the Agreement, control of NT&T will be transferred to Marcus D. Young, II.

Upon acquisition of ownership and control by Marcus D. Young, II, NT&T will continue to provide telecommunications services to its existing customers pursuant to the tariffs it currently has on file, except, as they may be revised by appropriate filings as needed to provide new or additional

rate plans. NT&T will maintain Nebraska Technology and Telecommunications, Inc. as its name.

7. 63.04(a)(7) Description of the Geographic Areas.

Currently there are no individuals or entities which have a controlling interest in NT&T. Therefore, for purposes of this Application, NT&T is considered the Transferor. NT&T is a Nebraska corporation authorized to transact business in Nebraska. NT&T is a competitive local exchange carrier authorized under a Certificate of Public Convenience or Necessity in Nebraska providing wireline local exchange services to residential and business customers in the Alltel and Qwest territories primarily in eastern Nebraska. NT&T does not provide services in territories served by Marcus D. Young, II's affiliate, Cozad Telephone company. NT&T serves approximately 34,204 access lines in these territories.

Transferee, Marcus D. Young, II is affiliated with Cozad Telephone Company in Nebraska. Cozad Telephone Company is a rural incumbent independent local exchange carrier duly authorized under a Certificate of Public Convenience or Necessity in Nebraska to provide wireline local exchange services and exchange access service to residential and business customers in the Cozad telephone exchange in central Nebraska. Cozad Telephone Company serves approximately 2,781 access lines exclusively in this exchange.

8. 63.04(a)(8) Qualification for Streamlining.

The Applicants respectfully request streamlined processing of this Application pursuant to the Commission's Rules, 47 C.F.R. § 63.03(b)(2)(ii). Under the control of Marcus D. Young, II, NT&T will provide competitive telephone exchange service exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction. Furthermore, the Applicants and/or their affiliate incumbent independent local exchange carriers have, in combination, far fewer than two (2) percent of the nation's subscriber lines installed in the aggregate nationwide

and have no overlapping service areas. NT&T provides services exclusively outside the geographic area of Marcus D. Young's affiliate incumbent independent local exchange carrier, Cozad Telephone Company. There is a combined total of only 36,985 access lines for NT&T and Cozad Telephone Company, which is an infinitesimal fraction of the approximately 160 million access lines. Because this transaction will have no meaningful effect on industry concentration, granting it streamlined processing will be consistent with the Commission's objectives in establishing the streamlined processing rules.

9. 63.04(a)(9) Other Pending Commission Applications Concerning Proposed Transaction.

Not Applicable.

10. 63.04(a)(10) Special Consideration.

Not Applicable.

11. 63.04(a)(11) Waiver Requests.

Not Applicable.

12. 63.04(a)(12) Public Interest, Convenience, and Necessity.

The grant of authority for this transaction will serve the public interest, convenience, and necessity by ensuring continued operations in the ordinary course of business. Diller desires to sell the majority of its shares of stock in NT&T to Marcus D. Young, II. Marcus D. Young, II and his affiliated company have provided telecommunications services in the state of Nebraska under a Certificate of Public Convenience or Necessity from the Nebraska Public Service Commission for several years and are well-respected members of the Nebraska telecommunications industry. Marcus D. Young, II possesses a vast understanding of the current business practices of NT&T and is best suited to obtain control of NT&T.

NT&T's existing customers will be protected because NT&T will continue to provide the same telecommunications services to its customers following the transaction as it provides to its customers at the present time. Furthermore, with a controlling interest in NT&T as a closely held corporation, Marcus D. Young, II will be able to devote more time, energy and resources to improve and enhance NT&T's ability to extend its range of products and services offered to customers.

III. CONCLUSION

For the foregoing reasons, the Applicants respectfully submit that the public interest, convenience, and necessity would be furthered by grant of this Application for authority to transfer control of NT&T to Marcus D. Young, II.

Dated: May 19, 2005.

Respectfully submitted,

NEBRASKA TECHNOLOGY AND
TELECOMMUNICATIONS, INC., and
MARCUS D. YOUNG, II, Applicants

By: 

Timothy F. Clare (#19970)
Troy S. Kirk (#22589)
REMBOLT LUDTKE LLP
1201 Lincoln Mall, Suite 102
Lincoln, NE 68508
(402) 475-5100
Attorneys for the Applicants

**DECLARATION OF NEBRASKA TECHNOLOGY
AND TELECOMMUNICATIONS, INC.**

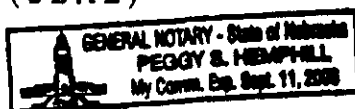
I, LOREN DUERKSEN, president of Nebraska Technology and Telecommunications, Inc. ("NT&T") declare under penalty of perjury that NT&T, including all officers, directors, or persons holding five percent or more of the outstanding stock or shares (voting and/or non-voting) of NT&T, as specified in Section 1.2003(b) of the Commission's Rules, is not subject to denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.

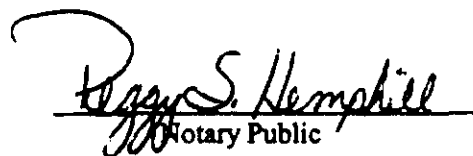


Loren Duerksen

The foregoing instrument was acknowledged before me this 13th day of May, 2005, by Loren Duerksen.

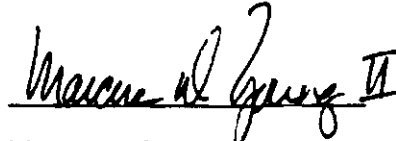
(SEAL)




Notary Public

DECLARATION OF MARCUS D. YOUNG, II

I, Marcus D. Young, II declare under penalty of perjury that, as specified in Section 1.2003(b) of the Commission's Rules, I am not subject to denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, nor is my affiliated company Cozad Telephone Company subject to denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.


Marcus D. Young, II

The foregoing instrument was acknowledged before me this 6th day of May, 2005, by Marcus D. Young, II.

(SEAL)




Notary Public